



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of DONOVAN) Examiner: B. Bunner
Serial Number: 09/371,354)
Filed: August 10, 1999) Group Art Unit: 1647
For: METHOD FOR TREATING)
CARDIAC MUSCLE DISORDERS) Irvine, California

#8
SQJ
12/14/01

**RE-SUBMITTED SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

As requested by the July 5, 2001 Office Action in this application, Applicant herewith submits the one page form PTO-1449 for consideration by the Examiner, consistent with the provisions of 37 CFR § 1.97 and 1.98 as filed with the patent application on January 2, 2001. By re-submitting this Information Disclosure Statement, Applicant makes no admission that any item listed thereupon is material to the patentability of the invention claimed in the above-entitled patent application. Further, applicant makes no assertion hereby that a search was conducted, or if conducted, that any search was thorough. Copies of the four references referenced in this re-submitted Information Disclosure Statement are enclosed herein.

Applicant respectfully requests that the Examiner indicate consideration of the cited references by returning to the applicant a copy of the attached form PTO-1449 with the Examiner's initials or other appropriate marks.

Applicant provides the following explanation of the relevance of the Item CD non-

English reference which is included herein:


Sauviat M.-P., (1997), Item CD, reports the observed effect of a number of neurotoxins on the electrical and mechanical activity of heart muscle, including for the following neurotoxins:

- Tetradotoxin
- Saxitoxin
- Aconitine
- Batrachotoxin
- Veratridine
- Sea anemone toxin
- Scorpion toxin
- Brevetoxin
- Ciguatoxin
- Atrotoxin
- Maitotoxin
- Taicatoxin (TCX)
- ω -conotoxin
- Okadaic acid
- Palytoxin
- μ -conotoxin
- Grayanotoxin

There is no discussion in this reference of any botulinum toxin.

If any fee is required please charge Deposit Account No. 01-0885 the appropriate amount.

Date: December 5, 2001


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Registration Number 33,433

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CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10

I hereby certify that this Supplemental Information Disclosure Statement is being deposited with the United States Postal Service on **December 5, 2001** in an envelope as "Express Mail Post Office To Addressee" mailing label number EL897832522US with sufficient postage for Express Mail addressed to Assistant Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Date: Dec 5, 2001Susan Bartholomew

Name of person mailing paper

Susan Bartholomew

Signature of person mailing paper

